

60,246-258; 10781

REMARKS

Applicant has submitted revised drawings which overcome the objection to the drawings, and has amended the specification to support the amendments to the drawings, and to overcome the objections the Examiner made in the last office action. The bulk of the rejections revolve around the recitation in the claims that there is a "control" for the pump. The Examiner has taken the position that there is insufficient basis in the application for the control. The drawings have been amended to add a black box control 192. The specification has also been amended in this manner. The specification, claims and drawings, as filed, support the amendment to the drawings and specification. In particular, the specification discussed controlling the pump based on various circumstances of overall operation of the system, including taking in inputs from sensors, making determinations, and then controlling the pump between various modes based upon those determinations. This application was filed in February 2003. By February 2003, a worker of ordinary skill in the art, reading the specification and seeing what is being disclosed as the control for the pump, would realize that an electronic control would be the way to achieve such control. The Examiner mentions that the disclosure might only support "switches" and Applicant disagrees, for the reasons set forth above. Even so, the "switches" that the Examiner feels would be disclosed, could meet the limitation of "control" also. Thus, it is submitted that the various objections and rejections under 35 USC §112 have been overcome and should be withdrawn.

With regard to the art rejection, reconsideration is requested. The reference to Crawford, at the section mentioned by the Examiner, states that the heat pump is on during the defrost modes. While some vague mention is made of the heat pump being off, that is not being discussed during the operation that the Examiner wishes to point to as meeting the claims. As an example, beginning at line 13 of col. 8, it is clear that the compressor is moving refrigerant through the circuit during this operation. As such, the claims are not met.

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For the reasons set forth above, all rejections have been overcome and an indication of such is solicited.

Respectfully submitted,

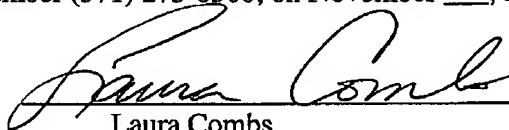


Theodore W. Olds, Reg. No. 33,080
Carlson, Gaskey & Olds
400 W. Maple Road, Ste. 350
Birmingham, MI 48009
(248) 988-8360

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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, fax number (571) 273-8300, on November 13, 2007.



Laura Combs